

MITIGATION MONITORING AND REPORTING PROGRAM

Overview

Public Resources Code Section §21081.6(a)(1)) and the California Environmental Quality Act (CEQA) Guidelines Section 15097 require public or lead agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

A public or lead agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public or lead agency to reduce or avoid significant project impacts not incorporated into the design or program for the project may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The following is the MMRP for the 1200-1340 Old Bayshore Highway Project. The MMRP includes the mitigation measures identified in the 1200-1340 Old Bayshore Highway Final Environmental Impact Report (FEIR) which are required to address the significant impacts associated with the proposed Project. The required mitigation measures are summarized in this program; the full text of the impact analysis and mitigation measures are presented in the Final EIR.

Format of the MMRP

The MMRP is organized in a table format (see Table 1), keyed to each mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures:** This column identifies the mitigation measures associated with the impacts identified in the EIR.
- **Implementation Responsibility:** This column contains an assignment of responsibility for implementation of the mitigation measure.

- **Monitoring and Reporting Action:** This column contains an outline of the appropriate steps to verify compliance with the mitigation measure.
- **Monitoring Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring Schedule:** The general schedule for conducting each monitoring and reporting task, identifying where appropriate both the timing and the frequency of the action.

Enforcement

If the proposed Project is approved, the MMRP would be adopted by the City. Therefore, all mitigation measures must be carried out in order to fulfill the requirements of approval. All mitigation measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the new construction, demolition, and renovations of the Project.

TABLE 1
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Air Quality				
<p>Mitigation Measure AIR-1a: Construction Emissions Minimization.</p> <p>During Project construction, the construction contractor shall comply with the BAAQMD's current basic control measures for reducing construction emissions of fugitive PM₁₀ and PM_{2.5}. The construction contractor shall comply with the following:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material offsite shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations. 	Project Applicant, construction contractor(s)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications 	<ol style="list-style-type: none"> 1. City 2. City 	<ol style="list-style-type: none"> 1. Prior to grading and building permit issuance 2. During construction

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Air Quality (Continued)				
<p>Mitigation Measure AIR-1b: Off-Road Equipment Tiers. All construction equipment above 50 horsepower shall either be powered by electricity, or meet or exceed either EPA or CARB Tier 4 Final off-road emission standards if they are powered by diesel.</p>	Project Applicant, construction contractor(s)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications 	<ol style="list-style-type: none"> 1. City 2. City 	<ol style="list-style-type: none"> 1. Prior to grading and building permit issuance 2. During construction
<p>Mitigation Measure AIR-1c: Haul Truck Tiers. During Project construction, on-road haul trucks shall be equipped with 2010 or newer model year engines.</p>	Project Applicant, construction contractor(s)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications 	<ol style="list-style-type: none"> 1. City 2. City 	<ol style="list-style-type: none"> 1. Prior to grading and building permit issuance 2. During construction
<p>Mitigation Measure AIR-1d: Exterior Paint. The exteriors of the life science/office buildings will not be painted; rather, the exteriors shall entirely consist of glass, concrete or coated materials painted at the time of fabrication at an offsite facility.</p>	Project Applicant, construction contractor(s)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications 	<ol style="list-style-type: none"> 1. City 2. City 	<ol style="list-style-type: none"> 1. Prior to building permit issuance 2. During construction
<p>Mitigation Measure AIR-1e: Interior Paint. During Project construction and operation, the Project applicant shall use super-compliant architectural coatings during construction, and during operations that occur concurrent with construction for all buildings, which shall have volatile organic compound (VOC) content that meet South Coast Air Quality Management District (SCAQMD) Rule 1113 Architectural Coatings as revised on February 5, 2016.</p>	Project applicant, construction contractor(s)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications 	<ol style="list-style-type: none"> 1. City 2. City 	<ol style="list-style-type: none"> 1. Prior to building permit issuance 2. During construction
<p>Mitigation Measure AIR-2: Zero-Emission Landscaping Equipment. During Project operation, zero-emission landscaping equipment shall be used over conventional gasoline-fueled counterparts. The requirement for zero-emission landscaping equipment shall be included in the Project's landscaping maintenance agreement.</p>	Project operator, landscaping contractor	<ol style="list-style-type: none"> 1. Measure is incorporated into Project landscaping maintenance agreement 2. Project site landscaper implements pursuant to landscaping maintenance agreement 	<ol style="list-style-type: none"> 1. City 2. City 	<ol style="list-style-type: none"> 1. Prior to operation 2. Periodically, during operation

TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Biological Resources				
<p>Mitigation Measure BIO-1a: Worker Environmental Awareness Training. Personnel involved in outfall replacement and bridge construction over Easton Creek shall be trained by a qualified biologist (experienced in construction monitoring, as approved by the City/Agency) in the importance of the marine environment to special-status fish and other aquatic animals, and the environmental protection measures put in place to prevent impacts to these species, their habitats, and EFH. The training shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> • A review of the special-status fish and other aquatic animals, and sensitive habitats that could be found in or downstream from work areas. • Measures to avoid and minimize adverse effects to special-status fish and other aquatic animals, their habitats, and EFH. • A review of all conditions and requirements of environmental permits, reports, and plans (e.g., USACE permits). 	Project applicant, qualified biologist, construction contractor(s)	<ol style="list-style-type: none"> 1. Worker environmental awareness training program is incorporated into construction specifications 2. Biologist approved by City trains construction personnel involved in outfall and bridge construction over Easton Creek 3. Construction contractor carries out construction involved in outfall and bridge construction over Easton Creek pursuant to biological training program 	<ol style="list-style-type: none"> 1. City 2. City 3. City 	<ol style="list-style-type: none"> 1. Prior to outfall replacement and bridge construction over Easton Creek 2. Prior to outfall replacement and bridge construction over Easton Creek 3. Periodically, during outfall replacement and bridge construction over Easton Creek
<p>Mitigation Measure BIO-1b: Seasonal In-Water Restrictions. In-water work for outfall replacement shall be conducted between June 1 through November 30, based on the standard work windows for steelhead and Pacific herring. If completion of in-water work within this period is not feasible due to scheduling issues, new timing guidelines shall be established and approved by NMFS and CDFW prior to initiation of in-water work.</p>	Project applicant, construction contractor(s), and NMFS/ CDFW (if applicable)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. NMFS and CDFW approve new timing guidelines (if applicable) 3. Construction contractor carries out construction pursuant to contract specifications 	<ol style="list-style-type: none"> 1. City 2. NMFS and CDFW, City 3. NMFS and CDFW, City 	<ol style="list-style-type: none"> 1. Prior to permit issuance of in-water work 2. Prior to initiation of in-water work 3. Periodically, during construction of in-water work

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Biological Resources (Continued)				
<p>Mitigation Measure BIO-1c: Fish Exclusion at Dewatering Sites. Prior to outfall replacement, Construction contractor shall install cofferdams to dewater the work areas. Cofferdams must be constructed with materials to effectively dewater the work area (e.g., inflatable rubber dams, sheet piles, or other materials). If inflatable rubber cofferdams are used, they must be installed at low tide when the work area is fully drained. If sheet pile cofferdams or other materials are used, the two sidewalls of the cofferdam must be placed first, followed by the final wall of the cofferdam on the downslope side (closest to the Easton Creek centerline). The final wall must be placed at low tide to minimize the amount and depth of water present within the cofferdam. Just before the final wall is installed, if water is present within the coffer dam, qualified biologists may use nets (with a maximum mesh size of 9.5 millimeters) to exclude fish from the construction area. At low tide, qualified biologists shall walk from the upper edge of the work area to the lower edge of the work area with a seine stretched across any wetted portion of the work area to encourage fish to move out of the construction area through the gap where the final wall would be installed. When the lower end of the construction area is reached, a block net would be installed in that gap to prevent fish from moving back into the cofferdam. This procedure shall be repeated until no fish remain in the dewatered area. The final sheet pile must then be installed. Upon completion of in-water work activities, coffer dams shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.</p>	Project applicant, construction contractor(s), qualified biologist	<ol style="list-style-type: none"> 1. Applicant acquires USACE 404 permit for in-water work 2. Construction contractor/qualified biologist carries out terms of Section 404 permit 	<ol style="list-style-type: none"> 1. USACE 2. USACE, CDFW, and potentially City 	<ol style="list-style-type: none"> 1. Prior to outfall replacement\ 2. Periodically, during outfall replacement construction; and upon completion of in-water work activities
<p>Mitigation Measure BIO-1d: Nesting Bird Protection Measures. Nesting birds and their nests shall be protected during construction by use of the following measures:</p> <ul style="list-style-type: none"> • The construction contractor shall conduct initial vegetation removal, tree trimming and removal, ground disturbance, and demolition of existing buildings outside the bird nesting season (February 1 to August 31). • If vegetation removal, tree trimming and removal, ground disturbance, and demolition of existing buildings during the nesting season cannot be fully avoided, a qualified wildlife biologist (as determined by CDFW)¹ shall conduct pre-construction nesting surveys during the bird nesting season seven (7) or fewer days prior to the start of such activities or after any construction breaks of 14 days or more. Surveys shall be performed for the Project site, vehicle and equipment staging areas, and suitable 	Project applicant, qualified biologist and CDFW (if applicable)	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications. 2. If construction occurs during the nesting season, a qualified biologist conducts preconstruction surveys 3. Consult with CDFW and implement avoidance procedures (if applicable) 	<ol style="list-style-type: none"> 1. City 2. City 3. City, CDFW 	<ol style="list-style-type: none"> 1. Prior to tree removal, grading, and demolition permit issuance 2. Prior to tree removal, grading, and demolition permit issuance 3. Periodically, during construction

¹ CDFW defines credentials of a “qualified biologist” within permits or authorizations issued for a project. Typical qualifications include a minimum of five years of academic training and professional experience in biological sciences and related resource management activities, and a minimum of two years of experience conducting surveys for each species that may be present within in the vicinity of the Project site.

**TABLE 1 (CONTINUED)
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MITIGATION MEASURES	Monitoring Program			
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Biological Resources (Continued)				
<ul style="list-style-type: none"> • habitat within 250 feet in order to locate any active passerine (songbird) nests and within 500 feet of these individual sites to locate any active raptor (birds of prey) nests. 1. If active nests are located during the pre-construction nesting bird survey, the qualified wildlife biologist shall evaluate if the schedule of construction activities could affect the active nests and the following measures shall be implemented based on their determination: <ul style="list-style-type: none"> a. If construction is not likely to affect the active nest, construction may proceed without restriction; however, a qualified biologist shall regularly monitor the nest at a frequency determined appropriate for the surrounding construction activity to confirm there is no adverse effect. Spot-check monitoring frequency would be determined on a nest-by-nest basis considering the particular construction activity, duration, proximity to the nest, sensitivity of the species to disturbance, and physical barriers that may screen activity from the nest. The qualified biologist may revise his/her determination at any time during the nesting season in coordination with the City of Burlingame. If it is determined that construction may affect the active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s) and all project work shall halt within the buffer until a qualified biologist determines the nest is no longer in use. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, the buffers may be adjusted due to the pre-construction disturbance level and/or if an obstruction, such as a building, is within line-of-sight between the nest and construction. c. Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be done at the discretion of the qualified biologist and in coordination with the City of Burlingame, who would notify CDFW. d. Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest, work within the no-disturbance buffer(s) shall halt until the nest occupants have fledged. 				

**TABLE 1 (CONTINUED)
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MITIGATION MEASURES	Monitoring Program			
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Biological Resources (Continued)				
<p>2. Any birds that begin nesting within the Project site and survey buffers amid construction activities shall be assumed to be habituated to construction-related or similar noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases; however, should these nesting birds begin to show disturbance associated with construction activities that could result in nest failure, no-disturbance buffers shall be established as determined by the qualified wildlife biologist.</p>				
<p>Mitigation Measure BIO-1e: Avoidance and Minimization Measures for Bats.</p> <p>A qualified biologist (as defined by CDFW) who is experienced with bat surveying techniques (including auditory sampling methods), behavior, roosting habitat, and identification of local bat species shall be consulted prior to initiation of construction activities to conduct a pre-construction habitat assessment of the Project site to characterize potential bat habitat and identify potentially active roost sites. No further action is required should the pre-construction habitat assessment not identify bat habitat or signs of potentially active bat roosts within the Project site (e.g., guano, urine staining, dead bats, etc.).</p> <p>The following measures shall be implemented should potential roosting habitat or potentially active bat roosts be identified during the habitat assessment in buildings to be demolished or relocated, or in trees adjacent to construction activities that could be trimmed or removed within the study area:</p> <ol style="list-style-type: none"> 1. In areas identified as potential roosting habitat during the habitat assessment, initial building demolition, relocation, and any tree work (trimming or removal) shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15. These periods avoid the bat maternity roosting season and period of winter torpor. 2. If construction occurs during the roosting season, the qualified biologist shall conduct pre-construction surveys of potential bat roost sites identified during the initial habitat assessment no more than 14 days prior to building demolition or relocation, or any tree trimming or removal. 	Project applicant, qualified biologist	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications. 2. Qualified biologist conducts pre-construction habitat assessment; and pre-construction surveys of bat roost sites during roosting season (if applicable) 3. Qualified biologist implements avoidance procedures (if applicable) 	<ol style="list-style-type: none"> 1. City 2. City 3. City 	<ol style="list-style-type: none"> 1. Prior to demolition, grading, and tree removal permit issuance 2. Prior to demolition, grading, and tree removal permit issuance 3. Periodically, during construction

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Biological Resources (Continued)				
<p>3. If active bat roosts or evidence of roosting is identified during pre-construction surveys for building demolition or tree work, the qualified biologist shall determine, if possible, the type of roost and species. A no-disturbance buffer shall be established around roost sites until the start of the seasonal windows identified above, or the qualified biologist determines roost sites are no longer active. The size of the no-disturbance buffer would be determined by the qualified biologist and would depend on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site.</p> <p>4. Buildings and trees with potential bat roosting habitat or active roosts shall be disturbed only under clear weather conditions when precipitation is not forecast for three days and when daytime temperatures are at least 50 degrees Fahrenheit.</p> <p>5. The demolition of buildings containing or suspected to contain potential bat roosting habitat or active bat roosts shall be done under the supervision of the qualified biologist during daytime. When appropriate, buildings shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost, likely in the evening and after bats have emerged from the roost to forage. Under no circumstances shall active maternity roosts be disturbed until the roost disbands at the completion of the maternity roosting season or otherwise becomes inactive, as determined by the qualified biologist.</p> <p>6. Trimming or removal of existing trees with potential bat roosting habitat or active (non-maternity or hibernation) bat roost sites shall follow a two-step removal process (which shall occur during the time of year when bats are active, according to a) above.</p> <p>a. On the first day and under supervision of the qualified biologist, tree branches and limbs not containing cavities or fissures in which bats could roost shall be cut using chainsaws or other handheld equipment.</p> <p>b. On the following day and under the supervision of the qualified biologist, the remainder of the tree may be trimmed or removed, either using chainsaws or other equipment (e.g., excavator or backhoe).</p> <p>c. All felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats to escape, or be inspected once felled by the qualified biologist to ensure no bats remain within the tree and/or branches.</p>				

TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Biological Resources (Continued)				
<p>Mitigation Measure BIO-2a: In-Situ Restoration of Temporary Impacts.</p> <p>Although much of the impact on tidal salt marsh and open water/tidal aquatic habitat in Easton Creek resulting from outfall replacement will be permanent, some of the impacts may be temporary, occurring only during removal of the existing outfalls and installation of new ones. All temporarily impacted areas (i.e., areas where new hardened material will not be placed) will be restored by the Project applicant or designee following construction by restoring topography and soils to pre-project conditions. The sparse pickleweed habitat along Easton Creek is likely to become recolonized easily without the need for seeding and planting, as long as the existing hydrology and topography are restored following temporary impacts.</p>	Project applicant, construction contractor(s), qualified biologist	<ol style="list-style-type: none"> 1. Applicant acquires USACE 404 permit for in-water work 2. Construction contractor/qualified biologist carries out terms of Section 404 permit 	<ol style="list-style-type: none"> 1. USACE 2. USACE, CDFW, and potentially City 	<ol style="list-style-type: none"> 1. Prior to construction 2. Periodically, during restoration, and upon completion of restoration
<p>Mitigation Measure BIO-2b: Compensatory Mitigation for Permanent Impacts.</p> <p>The Project applicant will provide compensatory mitigation for permanent loss of tidal salt marsh and open water/tidal aquatic habitat resulting from direct fill from outfall replacement, and for potential loss of tidal salt marsh from shading from bridges. The Project applicant will provide new wetland or aquatic habitat of the same type that was impacted to offset this impact, either through the creation, enhancement, or restoration of wetlands in an appropriate location or via the purchase of mitigation credits in a USACE, BCDC, and/or RWQCB-approved wetland mitigation bank. The purchase of such credits at a 1:1 ratio, on an acreage basis, or as specified by any state or federal permitting agencies, shall serve as full mitigation for impacts to these wetland features. If project-specific creation, enhancement, or restoration of wetland habitat is implemented, habitat will be restored or created at a minimum ratio of 1:1 (compensation: impact) on an acreage basis, or as otherwise required by any state or federal permitting agencies. USACE, BCDC, and/or RWQCB approvals may be required to authorize permanent impacts to this feature.</p> <p>If compensatory mitigation is not provided by purchasing mitigation credits from a USACE- or RWQCB-approved wetland mitigation bank, then, the Project applicant will provide compensation by creating, enhancing, or restoring wetland habitat so as to achieve the 1:1 ratio somewhere in San Mateo County, or as otherwise required by any state or federal permitting agencies. A qualified biologist shall develop a "Wetland Mitigation and Monitoring Plan" describing the mitigation, which will contain the following components (or as otherwise modified by regulatory agency permitting conditions):</p>	Project applicant, qualified biologist, City of Burlingame, USACE, BCDC, and/or RWQCB	<ol style="list-style-type: none"> 1. Measure is incorporated into construction specifications 2. Project applicant uses a qualified biologist to either: <ol style="list-style-type: none"> a. develop a Wetland Mitigation and Monitoring Plan to provide new wetland/aquatic habitat in San Mateo County b. purchase mitigation credits in a USACE, BCDC, and/or RWQCB-approved wetland mitigation bank 	<ol style="list-style-type: none"> 1. City 2. City; and USACE, BCDC, and/or RWQCB (as applicable) 	<ol style="list-style-type: none"> 1. Prior to demolition and grading permit issuance 2. Prior to wetland impacts

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Biological Resources (Continued)				
<ul style="list-style-type: none"> • Summary of habitat impacts and proposed mitigation ratios • Goal of the restoration to achieve no net loss of habitat functions and values • Location of mitigation site(s) and description of existing site conditions • Mitigation design: <ul style="list-style-type: none"> – Existing and proposed site hydrology – Grading plan if appropriate, including bank stabilization or other site stabilization features – Soil amendments and other site preparation elements as appropriate – Planting plan – Irrigation and maintenance plan – Remedial measures and adaptive management • Monitoring plan (including performance criteria, monitoring methods, data analysis, reporting requirements, and monitoring schedule). Success criteria will include quantifiable measurements of wetland vegetation type (e.g., dominance by natives) and extent appropriate for the restoration location, and provision of ecological functions and values equal to or exceeding those in the wetland habitat affected. At a minimum, success criteria will include following: <ul style="list-style-type: none"> – At Year 5 post-mitigation, at least 75 percent of the mitigation site for tidal salt marsh will be dominated by native hydrophytic vegetation. <p>The Wetland Mitigation and Monitoring Plan must be approved by the City of Burlingame prior to the wetland impacts, and implementation of the Plan must begin within one year after the discharge of fill into or construction of a bridge over tidal salt marsh or open water/tidal aquatic habitat.</p> 				

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
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Cultural Resources				
<p>Mitigation Measure CUL-2a: Cultural Resources Awareness Training. Before any ground-disturbing and/or construction activities, an archaeologist meeting or under the supervision of an archaeologist meeting the Secretary of the Interior Standards for Archeology shall conduct a training program for all construction and field personnel involved in ground disturbance. If a Native American tribe has expressed interest in the Project via tribal consultation, they will be invited to participate in the training program. On-site personnel shall attend a mandatory pre-Project training that shall outline the general archaeological sensitivity of the area and the procedures to follow in the event an archaeological resource and/or human remains are inadvertently discovered. A training program shall be established for new Project personnel before they begin Project work.</p>	Project Applicant, qualified archaeologist, construction contractor(s)	1. Measure is incorporated into construction specifications 2. Construction contractor carries out training pursuant to contract specifications	1. City 2. City	1. Prior to grading permit issuance 2. Prior to grading permit issuance
<p>Mitigation Measure CUL-2b: Inadvertent Discovery of Cultural Resources. If pre-contact or historic-era archaeological resources are encountered during Project implementation, all construction activities within 100 feet shall halt, and a qualified archaeologist, defined as an archaeologist meeting the U.S. Secretary of the Interior's Professional Qualification Standards for Archeology, shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse. If the City determines, based on recommendations from a qualified archaeologist and a Native American representative (if the resource is pre-contact), that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5) or a tribal cultural resource (as defined in PRC Section 21080.3), the resource shall be avoided, if feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement.</p>	Project Applicant, qualified archaeologist, construction contractor(s)	1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications	1. City 2. City	1. Prior to grading permit issuance 2. During construction, as applicable

TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

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Cultural Resources (Continued)				
If avoidance is not feasible, the City shall consult with appropriate Native American tribes (if the resource is pre-contact), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3).				
Mitigation Measure CUL-3: Inadvertent Discovery of Human Remains. In the event of discovery or recognition of any human remains during construction activities, such activities within 100 feet of the find shall cease until the appropriate County Coroner has been contacted to determine that no investigation of the cause of death is required. The Native American Heritage Commission (NAHC) will be contacted within 24 hours if it is determined that the remains are Native American. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the lead agency for the appropriate means of treating the human remains and any grave goods.	Project Applicant, qualified archaeologist, construction contractor(s)	1. Measure is incorporated into construction specifications 2. Construction contractor carries out construction pursuant to contract specifications	1. City 2. City	1. Prior to grading permit issuance 2. During construction, as applicable
Hazards and Hazardous Materials				
Mitigation Measure HAZ-1: Construction Soil and Groundwater Management Plan. The contractor conducting excavation of fill and soil and dewatering of excavations shall develop and implement a soil and groundwater management plan (SGMP) for the management of soil, fill, soil gas, and groundwater before any ground-disturbing activity to manage contaminated materials, if encountered. The SGMP shall include the following, at a minimum: <ul style="list-style-type: none"> • Site description, including the hazardous materials that may be encountered. • Roles and responsibilities of on-site workers, supervisors, and the regulatory agency. • Training for site workers focused on the recognition of and response to encountering hazardous materials or unknown structures, e.g., underground storage tanks (USTs). 	Project Applicant, SMCEHS, City of Burlingame Building Division, construction contractor(s)	1. Measure is incorporated into construction specifications 2. Contractor develops and submits SGMP 2. Construction contractor implements SGMP	1. City 2. SMCEHS, City of Burlingame Building Division 3. SMCEHS, City of Burlingame Building Division	1. Prior to grading permit issuance 2. Prior to grading permit issuance 3. Prior to and during construction

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Hazards and Hazardous Materials (Continued)				
<ul style="list-style-type: none"> Notification requirements in the event of discovery of unknown structures or contamination. Protocols for the materials (fill, soil, and dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner. Reporting requirement to the overseeing regulatory agency, if any contamination is found that requires agency oversight, documenting that site activities were conducted in accordance with the SGMP. <p>The SGMP shall be submitted to the SMCEHS and the City of Burlingame Building Division for review to inform their permit approval process before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials.</p> <p>The SGMP shall include measures to remove and/or treat/remediate the impacted soil, fill, and groundwater, as needed, in a manner that is protective of human health and the environment and compatible with commercial land use, in compliance with all applicable regulatory standards, under supervision of a qualified environmental professional. The SGMP shall describe measures for (i) management of excavated soil, fill, and groundwater, (ii) characterization of soil and fill to determine whether they qualify as hazardous waste under regulations such as 22 C.C.R. Section 66262.11 or other regulations identified in the SGMP or otherwise identified by the oversight agencies, and (iii) offsite disposal of excavated soil and fill, and disposal of dewatered groundwater in compliance with all applicable regulations. The SGMP shall also provide measures for the evaluation of vapor intrusion risk at the Project site, and if necessary, modification of the Project design and/or installation of a vapor intrusion mitigation system consistent with the procedures and performance standards set forth in DTSC's October 2011 Vapor Intrusion Mitigation Advisory or as otherwise determined applicable by the oversight agency at the time of construction.</p> <p>For work that would encounter groundwater, as part of the SGMP, the contractor(s) shall include a groundwater dewatering control and disposal plan specifying how groundwater (dewatering effluent) will be handled and disposed of in a safe, appropriate, and lawful manner. The groundwater portion of the SGMP shall include the following, at a minimum:</p> <ul style="list-style-type: none"> The locations at which groundwater dewatering is likely to be required. Test methods to analyze groundwater for hazardous substances. Appropriate treatment and/or disposal methods. 				

**TABLE 1 (CONTINUED)
1200-1340 OLD BAYSHORE HIGHWAY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MEASURES	Monitoring Program			
	Implementation Responsibility	Monitoring and Reporting Action	Monitoring Responsibility	Monitoring Schedule
Hazards and Hazardous Materials (Continued)				
<ul style="list-style-type: none"> Discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used. 				
Utilities and Service Systems				
<p>Mitigation Measure UTIL-2: Contribute to Water Conservation Programs under the City's Development Offset Program.</p> <p>Per the Development Offset Program and the WSA, the Project applicant shall make a monetary contribution to pay for its fair share of funding of water conservation programs to offset the Project's contribution to the City's water supply shortfall of 4.2 MGY during multiple dry years. The Project applicant shall make this contribution in three installments prior to issuance of Certificate of Occupancy for each of the three office/R&D buildings in amounts calculated at that time which are proportional to each building's square footage.</p>	Project Applicant	<ol style="list-style-type: none"> Measure is included as a condition of approval Applicant makes fair share monetary contribution to City in three installments 	<ol style="list-style-type: none"> City City 	<ol style="list-style-type: none"> Prior to project approval Prior to Certificate of Occupancy for each Office/R&D building